

Rental Housing Ordinance Change Administrative Hearing Minutes
July 24, 2013 ~ 10:00 a.m.

Hearing was attended by 40 individuals.

Lynn Moore, Environmental Health Manager, introduced herself and other staff members in attendance (Elizabeth Shevi, Planning; Doug Junker, Licensing; Dave Olmstead, Police; Mark Stangenes, Environmental Health, Ann Kaul, Legal). Ms. Moore presented rental ordinance history and overview of the changes via a PowerPoint presentation.

Moore stated that the reference to subletting may be changed to state that subletting would not be allowed unless the lease specifically has a provision for subletting in it.

Moore informed the audience that copies of the 2012 International Property Maintenance Code would be available for on-site review at the Community Development front counter.

Comments to be on record for council consideration:

- 1) Dale Tharaldson, Cedar Cliff South Condominiums: Licensing fees for a condominium are the same as for a single family dwelling. These units have no in unit heat or air condition and take approximately 10 minutes to inspect. Going from \$82 to \$150 is pretty steep. Feels it is high enough they way it is now. Sure it takes longer to inspect a single family home; probably closed to 45 minutes to an hour. Would the City consider lowering the rates for these types of units?
- 2) Sherry Pearl, Penelope 35 I and II: The fee increase is a large jump and understands financing and everything and would like to see it put forward in smaller increments over several years. Really hurts the budget when you are not prepared for that.
- 3) Karl Miner, self (property owner) three single family dwellings: Never had an inspector spend an hour in his home. They are usually there for 15 to 20 minutes max. Agree with smaller increments and would like to suggest they be able to look at how those fees are spent.
- 4) Les Knoke, self (property owner) single family and multiple family units: Thinks a 100% fee increase is really severe, especially with the way the way that our economy is. Especially when they pay higher taxes than single family homeowners do. Don't know if the city council here would take a look at accepting a 100% increase in some fee that was to be charged them. Feels it is excessive. Would like to see a progressive increase of this amount over a decade should be considered.
- 5) Sharon Kendhammer, Tarnhill Apartments, and Steven Scott Management: Feels proposed fees are astronomical. Obviously each year there are costs involved and these are rising, they raise rents and they are aware that everything is increasing in cost, it doesn't decrease. But something different. Less of a huge cost in one year would be helpful for owners so they don't have to pass it on to their tenants who are the ones who can't afford these increases as well.
- 6) Steve Furlong, self (property owner) single family on 20th Ave. S.: Would like to see the city consider an exception to the reinspection fee when there is a significant rehabilitation to the property? Did rehab on this property last fall and had the inspector out a few times due to the

scope of the project. In Section 14.580 Section A, would like to see the "7 county metro area" be replaced with the state of Minnesota. Feels that if the owner lives within the state that would be acceptable. Supports incentivizing rental property owners that met all codes via a simple annual "credit type" system that could maybe be applied to future fees or fines.

- 7) Ira Sklator, Towers Management – 6 multi-family properties: In reference to fee charged to first unit in building, would like to see this charge changed to first unit of complex. A 200 unit building only pays one "first unit" charge and they have smaller unit buildings and have to pay more first unit charges even though they have less overall units. Would like to see good landlords be charged less of a licensing fee than those that don't maintain their properties and require more city services. Would like to see in code that attendance at quarterly HRA meetings be mandatory. In New Hope, you have to go to 50% of the meetings. You have to put the Crime Free Addendum in your lease and maintain your properties and you pay an inspection rate and lower fee structure. Same thing with Brooklyn Center. It encourages good landlords. The people that are taking the city's time and efforts are the poor landlords that give them a bad name. Feels police are doing a good job of going in and giving tickets for loud music and those types of complaints but need to do more of that. Feels getting weekly police reports is fantastic. When that first started several years ago, he evicted seven tenants in the first week. Never knew about these problems even with a manager. Police would write tickets but they didn't know about it and know they do and it is fantastic. Would also like to see if electricity to the unit has been shut off due to non-payment on the tenant's part, that the city post to prevent occupancy and that police be willing to respond to remove the tenants.
- 8) Andrew Akins, Premier Properties – over 600 units: Fee is way too high. It's important to remember that it's the residents who live there that are ultimately going to be paying it and thinks we all want Bloomington to be a place where people want to live and work and they are going to go other places. That scares him. Once the apartments start getting to be too high, you start flipping a coin saying "I have to fill this unit. I'll put this person in there because people don't want to live there." "We have to make Bloomington a place where people want to live and if you price it out, that's exactly what is going to happen. It is way too high. Need to look at your budget and look where you can cut instead of making of them have to do it. You need to look at your budget. You won't even show it to them. Don't have any example of what you are spending the money on and you want them to double their fees and it is absurd. He would be happy to go to any meeting he can to give his opinion on what we can do to save things. One inspector asked him why his tenants are calling her and he said it was because she didn't tell those tenants to call their landlord and he will take care of the problem. He gets up every morning and tells himself that these are people that live in these apartments. They are people that live there and it is his job to provide housing do the best job he can and the city comes in and prices it out and then they are done.
- 9) Emily Paulino, Village Green at International Village: Stated that notices about crime issues are very beneficial to have to pass on to tenant for lease violations. Hasn't had a second problem when she has sent out a letter based on receiving a police report. Having something from the city that states what the next steps will be if it happens again adds some weight to the severity of the issue.
- 10) Sharon Kendhammer, Tarhnill Apartments: Wanted to state a positive comment. Has managed for 9 ½ years here and regarding the relationships with the Environmental Health Division and the police department, can't say enough good, positive comments. They as landlords and owners appreciate the involvement the city provides to help them in running their properties.

Name	Property/ representing	email	Phone #
Lynn Moore	City of Bloomington	lmoore@ci.bloomington.mn.us	952-563-8970
Lisa Feilen	mmha	lisa.feilen@mmha.com	952.548.2217
Chris McGaha		cmcgaha@highlandapts.com	952.928.7509
Tina Byron	HMG	tbyron@highlandapts.com	952-928-7535
Sharon Kendhammer	Tarnhill	tarnhill.manager@steven-scott.com	952.831-7311
Summer Boggs	invitation homes	sboggs@invitationhomes.com	612-300-8009
Erin Jackson	invitation homes	ejackson@invitationhomes.com	612.919.5979
Scott GANN	Georgetown Park Bloom	scott.livak@gmail.com	952.854.7788
KEN VENESS	OWNER	KEN VENESS@COMCAST.NET	(81055)
TED OLSON	OWNER	TED@EPGUNDERSUN.COM	952-435-6271
Emily Paulino	International Village	epaulino@villagegreen.com	952-888-4175
Sherry Bader	invitation homes	sbader@invitationhomes.com	952-508-1937
Ben Anderson		mountcurre@gmail.com	952.881.7537
Lori		info@terraepropertiesllc.com	952-888-8498
Duane Larson	PTS-Blingtn	dlarson@preshomes.org	
Les Kroke	owner	Leswest@yahoo	612-386-3217
Michelle Krause	my r/ ^{Southgate} apts	Southgateapartments@comcast.net	952.854.4200
Prri Goodall	site manager	Bables apartments	952.881.0799
Sherry Pearl	Penelope 35	spearl@AHEPAHousing.org	952-881-9811
Abbey Notboom	Gassen Management	Anotchbom@gassen.com	952-253-4964
Wes Bennette	Towers hgt	Wbennett@towersmanagement.com	763.546.6400 x10
George Hoops	FLC	hoops2squared@gmail.com	952.843.9354
Katie Hony	HMG		952.831.9316
IRA Sklar	Towers	ira.sklar@gmail.com	763.546.6400

ET. 19

July 24, 2013 Rental Housing Code Administrative meetings 10 AM and 5 PM

Name	Property/ representing	email	Phone #
Lynn Moore	City of Bloomington	lmoore@ci.bloomington.mn.us	952-563-8970
CHUCK HUTCHINSON	SELF	banshee521@gmail.com	952-829-5612
SHARI McDONALD	Highland Mgt	sharidonald@highlandmgt.com	952-925-1020
DALE THARALSON	CEDAR CLIFF SO CONDOMINIUM		612-741-6228 952-881-1942
Chad Asche	Park Ave of Wayzata	catpointe@parkavenuerentals	952-941-2500
Wendy Starmach	TIKI APTS	wendybl@dngeo.com	452-854-9143
Chad Anderson	Quantum Properties	chadanderson@gmail.com	612-269-5260
Hoyd Ellingson	1105 Trail West Rd		952-934-8212
Sharon Barry	Self	SHARON.A0408@GMAIL.CO	952-941-0251
Connie Barry	Self	cbarry-7@aol.com	612-799-2661
Dee Tanner	Knox Landry		952-884-9611
Kim Mann	Self	JEANNE 62257@Yahoo	612-636-5533
MICHAEL RIVERA	HIGHLAND MGMT	INFO@SOUTHWESTAPARTMENTS.	952-881-8016
Matthew Westphal	Blondie So	—	612-866-7771
Darlys Westphal	Blondie So	—	612-866-7771
Teresa Watje	Self	twatje7650@gmail.com	952-884-4804

July 24, 2013 Rental Housing Code Administrative meetings 10 AM and 5 PM

Name	Property/ representing	email	Phone #
Lynn Moore	City of Bloomington	lmoore@ci.bloomington.mn.us	952-563-8970
Andy Alkins	Premier Properties	andreaa@premierapts.com	952-941-240
Ana Stepina	Stepina Properties	anastepina@gmail.com	952-465-5926

Rental Housing Ordinance Change Administrative Hearing Minutes
July 24, 2013 – 5:00 p.m.

Lynn Moore, Environmental Health Manager, introduced herself and other staff members in attendance (Dave Olmstead, Police; and Mark Stangenes, Environmental Health). Ms. Moore presented rental ordinance history and overview of the changes via a PowerPoint presentation.

- 1) Arlene Eliason, 8843 18th Ave. S.: States she pays more in license fees for her property in Bloomington than she does for her other four properties in other cities combined. A money saver that might help the city is if the city did something more along the line of every time a new renter comes in, the city inspects what they are moving in to. She has long term renters and they are very good at making sure she takes care of her building. They let her know by text message any time something is wrong. Perhaps for inspecting buildings, once every five years or so. If the city is concerned about the type of property people will be moving in to, inspect the property as it is rented to a new renter.
- 2) John Docherty, 10919 Rhode Island Ave. S.: Said what he was going to say might sound like a question, but he believes it will have the desired effect. He said “Everyone in this room who thinks the fee increase is reasonable, say aye?” No one responded. He then said “Everyone who doesn’t think the fee increase is reasonable, say nay?” Several people responded, nay.
- 3) Bill Reichert, self, stated he was a current candidate for District 3 City Council: Wanted to address the wording on making a landlord/property owner responsible for the actions of their tenants. Recommended that the language be changed to say the property owner is responsible upon notice, either by police or observation personally. The way it is written now, it puts all onus of responsibility on the property owner and if the intent is to have them responsible upon notice, then put it in there, because the courts are not going to go upon intent, they are going to go upon the letter of the law and based on the way it is written.
- 4) Mohammad Noori, 8224 Oxborough Ave. S., self: Doesn’t believe the increase is reasonable.
- 5) Tom Bernier, 10488 Colorado Circle: With regard to the proposed increase, thinks it is unconscionable to raise the current fee to what is almost a 100% increase, from \$82 to \$150. Doesn’t know what the city is going after with respect to why they feel they have to double that rate. If it’s because of additional costs because of additional time they have to take with properties that require the city’s attention, in other words, problem properties, then perhaps they ought to increase the licensing fees for the problem properties and not the rest of them.
- 6) Philip Remeneski, Westwood Townhomes, 3301 W. Old Shakopee Road: Seconded the comment made by the gentleman running for district, and that first and foremost they cannot legally be held responsible for the actions of their tenant. First and foremost, they are not police officers. They have no right to put in any listening devices or any cameras in the unit. It violates First Amendment rights. But the city is trying to hold them responsible if the way it phrased is different than the way it was worded, that being said the lawyers will go by what is the text. Basically he has already decided if this goes through, that with any disorderly issue, he will evict immediately. The problem is Hennepin County courts, which are very liberal, will not grant it and then what does he

do? Is the city going to pay his fees to evict somebody, his process serving fees, his legal fees, etc., when the courts deems they cannot be evicted? And yet the city can come back, should they do something else, their friends, relatives, whatever, and then the city, per the way it's written can come in and fine him. That is, he would believe illegal, at least at a minimum unethical and totally unfair. Landlords are trying to provide very good housing at a reasonable price to people. They are being hurt by the actions of this with a lot more in fees that they shouldn't have to incur. The costs of rent are going to go up significantly and given the city believes the right to raise the fees by a 100% that sends a message that they should be able to increase their apartment rent as much as they want. He doesn't think that that is the message the city wants to send.

July 24, 2013 Rental Housing Code Administrative meetings 10 AM and 5 PM

Name	Property/ representing	email	Phone #
Lynn Moore	City of Bloomington	lmoore@ci.bloomington.mn.us	952-563-8970
Suzanne Kreye John Docherty	10919 Rachel Rd Apt 50	SJKreye@gmail.com J.Docherty1@gmail.com	952-944-7528 952-881-0718
Mary Hinseth	221 W 93rd St	maryhinseth@yahoo.com	612-636-230X
Joel Bene	8830 Normandie	amalecha2000@yahoo.com	952-758-8664
Norine Anderson		Norine952@gmail.com	952-897-1182
DAVID JOSEPHSON	4301 W 113th Stark	djoseph@earthlink.net	952-237-4444
Joel Jennesen	8336 Penn Ave S	joel.jennesen@yahoo.com	612 423 1574
Yolanda Reeves	Pennbrook Apts 2400 W 103rd St	MANAGER@highland apts.com	952 884-9167
TOM BERNIER	10488 Col. Cir	tom@tombernier.com	612-866-7307

July 24, 2013 Rental Housing Code Administrative meetings 10 AM and 5 PM

Name	Property/ representing	email	Phone #
Lynn Moore	City of Bloomington	lmoore@ci.bloomington.mn.us	952-563-8970
ETIN NG	7341, 110th St. 92 RT W, #147		952-884-7773
Mohammad Nouri	8230 Oakdale Ave		612-501-1953
Dan Royer	612 W. 104th St	dan@droyer.org	612-723-1726
Denise Royer	"	denise@droyer.org	952-888-9756
Amy Andrews	9957 Cavell Ave. So.	Amy-Andrews@comcast.net	952-594-4971
Nancy Walbank	7425 W 103rd		952-944-6356
PHIL REWASKI	3301 W Oak	PRWASKI	612-849-2201
Arlene Eliaz	8843 15th Ave S	aeliasan@gmail.com	952-210-847X
K Loughy			

Moore, Lynn

From: Karen Mahoney [klea1939@gmail.com]
Sent: Thursday, July 11, 2013 2:39 PM
To: Moore, Lynn
Subject: Rental property

I can not attend the meeting on 7/24 however I do have a comment about rental property inspections. My property has been inspected every summer for years and everything is ALWAYS ok. If that is the case and you know the property is very well maintained why can't you figure out a less often inspection schedule say bi annually or even longer. It is a nuisance to me as I keep the property in excellent condition. Also why can't you coordinate your inspections so you aren't driving all over and wasting my taxpayer money. There are 6 or 7 double bungalows including mine in a row but your inspections are on different days or hours apart for each. Pretty much a waste as I see it. I hope you look into these comments. Thank you.

Karen Mahoney

Moore, Lynn

From: Reg Schroeder [rdsjms2@gmail.com]
Sent: Friday, July 12, 2013 3:21 PM
To: Moore, Lynn
Subject: Recommendations from Reg Schroeder

Lynn:

We have a single family home in Bloomington that we have rented out during the years that we have owned this property.

The proposed new license fee of \$150.00 is a substantial increase over the present fee. I feel that this increase is excessive. I suggest that this license fee should not be more than \$100.00 maximum for a single family home.

The other concern that I have is the requirement of posting the license.

In a single family home this would almost be an impossible task. Small children would remove this document. We would constantly be attempting to re-post this license. I suggest that this requirement be waived for single family rental properties.

Regards,

Reg and Joan Schroeder
952-830-1501

Moore, Lynn

From: Spring, John (NSHC) [John.Spring@nucor.com]
Sent: Monday, July 15, 2013 10:57 AM
To: Moore, Lynn
Subject: RE: Question of Rental Housing Code changes

That answers it; thank you.

From: Moore, Lynn [mailto:LMoore@ci.bloomington.mn.us]
Sent: Monday, July 15, 2013 11:42 AM
To: Spring, John (NSHC)
Subject: RE: Question of Rental Housing Code changes

Hi, John.

The re-inspection fee will be used if the housing inspector must perform a second follow up inspection.

For example, the housing inspector issues written orders to correct some violation by a date specified at a routine or complaint inspection. At the first follow up inspection after the date specified in the orders, the inspector finds that the owner has not complied and the inspector has to issue another notice and return to perform a second follow up inspection on the same violation, the City will issue the reinspection fee of \$250. The violation must be serious enough to warrant follow up inspections.

I hope I answered your question. Please let me know if you have additional questions.

Lynn Moore, MPH, RS
Environmental Health Manager
City of Bloomington
(952) 563-8970
lmoores@ci.bloomington.mn.us



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WWW.CI.BLOOMINGTON.MN.US

From: Spring, John (NSHC) [mailto:John.Spring@nucor.com]
Sent: Monday, July 15, 2013 9:15 AM
To: Moore, Lynn
Subject: Question of Rental Housing Code changes

Ms. Moore-

Regarding the proposed changes to the Rental Housing Code, on page 22 there is the addition of a "Reinspection Fee (14.592)" of \$250 to the Schedule of Civil Fines for Administrative Offenses.

Under what conditions will this Reinspection Fee be levied?

Thank you.

John Spring
(252) 370-5061

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Moore, Lynn

From: Meredith Salsbery [meredith.salsbery@gmail.com]
Sent: Friday, July 19, 2013 12:14 PM
To: Moore, Lynn
Subject: proposed rental housing code changes

Hi,

I am an owner of a rental property in Bloomington. I've reviewed the rental housing code changes and I'm opposed to the increase in rental fees, particularly with regard to small units in multi-family dwellings. For example, my 690 square foot condo should take your inspector considerably less time to inspect than a four bedroom home. I don't want to see fees go up, but if they do go up, some acknowledgement of dwelling size should be made within the fee schedule.

Additionally, I am opposed to the no-sublease rule. In tough financial times, many people have turned to renting. They also need to take jobs where they can get them, which sometimes means moving after committing to a lease. I wish to be a flexible landlord and allow my tenants to find a sublease when their circumstances change and they need to move away. I think the City is overstepping its bounds in specifying whether a tenant and landlord can agree to a sublease agreement. Please leave that for our determination. There is not a necessary role for government here.

Thank you,
Meredith Salsbery

--

Meredith Salsbery
meredith.salsbery@gmail.com
507-351-7730

Moore, Lynn

From: Jeff [jefftmp@yahoo.com]
Sent: Saturday, July 20, 2013 5:50 PM
To: Moore, Lynn
Subject: 2 questions re: rental housing code updates

Hello Lynn,

Thank you for sending the postcard, I reviewed the suggested ordinance updates and have 2 questions from the standpoint of a the owner of one condo unit that was purchased while I was single and, due to the decrease in prices, I haven't been able to sell - but that I carefully keep up with the help of a great long-term tenant.

1. What is the reason behind increasing license fees? If it's due to inspection costs I wonder if reducing frequency of inspections for units that have had no issues was considered. At \$80/year I found it expensive but reasonable since someone having to come out; at \$150 that is close in price to a full inspection of my 1 bedroom condo (rather than turning on lights and making sure my 2 faucets still work). If cost indeed is the issue I wonder if it would be both in the city's best interest as well as my own to have a full inspection every several years to understand if there are issues happening rather than the yearly city walkthrough.

[Also as a comparison of license fees with surrounding areas - which I'm sure you already know - I noticed Minneapolis (\$69/year), and St. Louis Park (\$80/year for a condo/townhouse) are in line with what Bloomington fees are today]

--To put this into some context, I haven't raised the rent for my long-term renter, so this is cost that I would eat myself. If I have a new renter it's even worse since I have a condo association move-out fee, cleaning fees, and painting that as a small 1-br condo owner would now cost me over a month's rent that I likely couldn't charge someone. Realistically that means when my current renter moves out I may have to short sell or foreclose on my condo because I can't take that loss and have to find a way to get rid of the property.

2. 15.5.9.3 Self-inspection: can you explain how this would apply to a single condo unit owner? This is another part of the code that could make sense if I owned a building, but doesn't seem to make sense in my situation.

Thank you,
Jeff

Moore, Lynn

From: Carl Patow [carlpatow@carlpatow.com]
Sent: Sunday, July 21, 2013 8:37 AM
To: Moore, Lynn
Subject: Draft Rental Housing Code

Dear Ms Moore,

As an owner of a single unit rental property in Bloomington, I have reviewed the draft "Rental Housing Code" and offer a few comments for consideration.

The proposed increase in fees from \$80 per annum to \$150 per annum seems excessive, in that the fee is nearly doubled. For owners of single rental units, this increase does not seem to equitable or in line with other normal increases in business costs, such as inflation. An increase to \$100, for example, would seem to be more reasonable. This increase will disproportionately affect single unit owners, who may already rent at a loss.

The document appears to imply that owners of rental properties in multi-unit dwellings have ownership of the entire property, including the common areas. This is not always the case. For example, in multi-unit condominiums the owner may own and rent only one unit. The regulations as proposed require posting of the license in the common area, which is not appropriate for single unit rentals in multi-unit dwellings. The definitions and examples in the document should not assume that all units in a multi-unit dwelling are owned or controlled by one owner.

Respectfully submitted,

Carl Patow, MD
capatow@comcast.net

Moore, Lynn

From: Teresa Watje [twatje7650@gmail.com]
Sent: Thursday, July 25, 2013 6:50 PM
To: Moore, Lynn
Subject: Rental Housing Code

Thank you for your presentation. My only comment is that the price increase for rental licenses is taking such a drastic increase and it wasn't explained why \$250.00 is the number needed. Are your costs that much more or is that what you think is being charged by other cities and we should follow? With the increase of 200 licenses a year, which I think I heard said, you would think there would be increased revenues and wouldn't require that much additional cost to supervise if the majority of properties operate normally. Are the multi-housing creating more work than single family units to supervise and perhaps a bigger increase should follow for what type of properties create more work. I would like to see the cost far less than what is proposed.

Also, I hope you will be careful of penalties for work not being done on a re-inspection and use that only if you feel the owner is being uncooperative. I haven't had a problem with that, but I feel it sounds very severe and should be used cautiously. I am hoping you feel we provide a valuable service to the city in filling a need and bringing more people to live in our community. As a landlord, I feel we can improve the properties more than many homeowners can and do. I hope the city wants to reward and encourage and work alongside landlords and not have the image of a watchdog and as the opposition instead of a team player. I have welcomed inspections and have had a good relationship and hope it will stay that way or increase in that way.

Thank you again. Teresa Watje

Moore, Lynn

From: Lisa Peilen [lisa.peilen@mmha.com]
Sent: Monday, July 22, 2013 2:32 PM
To: Moore, Lynn
Cc: Mary Rippe; Todd Liljenquist; cecil@cornerstonepp.com; Johnson, Sandra; DDyer@ci.bloomington.mn.us; Stangenes, Mark; Kaul, Ann; Lee, Larry
Subject: MHA Comment Letter on Bloomington Rental Licensing Ordinance

Thank you for the opportunity to comment on the proposed revision of Bloomington's rental licensing ordinance. We appreciate your outreach to us and all property owners in Bloomington, and we also appreciate the changes that have been made to the draft as a result of our initial conversation about the ordinance. However, we do have concerns about some provisions of the proposed ordinance, and they are outlined below:

- **Sec. 14.575: Rental History.** This section states that an applicant who has had a license suspended, revoked or placed in a provisional license status within the previous five years will be ineligible for new or additional rental licenses for the next five years. Our concern is with the inclusion of provisional licenses in this provision. As we read it, a provisional license is issued if a property owner has submitted an application, paid the fee, and undergone an inspection resulting in work orders that do not prevent occupancy. A provisional license may also be issued when an inspection of a licensed property results in work orders that do not prevent occupancy. Again, as we read it, a property owner would be prevented from applying for new or additional rental licenses because they received work orders from an inspection, and this seems way too harsh a penalty. We encourage you to drop the provisional license provision from this section.
- **Sec. 14.577: Occupancy Limits.** We have two concerns with this provision. First, the ordinance states that a property owner may not lease a rental dwelling unit to more than four unrelated persons. Our concern is what the impact is on a three bedroom apartment. Second, the provision prohibits a tenant from subletting the unit to another. We believe this issue should remain between the property owner and the tenant. Most leases, including our MHA lease, require prior approval from the property owner before a unit can be sublet. We believe this provision is un-necessary because the ordinance requires a background check to be performed on all prospective tenants, this would also apply to a sublet.
- **Sec. 14.580: Additional Regulations for Health, Safety and Maintenance.** This provision requires the property owner to provide professional pest control services and written documentation of such services. Does this mean that property owners must enter into a contract with a pest control company on an ongoing basis, or is this on an as needed basis? Smaller properties have very different needs for pest control services than larger companies.
- **Sec. 14.582: Criminal History Inquiries Required.** This provision requires criminal background checks on all prospective residents. We have two concerns about the draft language. The first concern is that the language requires the background check to go back seven years, this is a much longer period of time than other cities require. Hopkins, for example, requires that criminal background checks go back three years, and I am not aware of any city than uses a longer time period, and certainly no city of which I am aware requires a time period as long as seven years. Our second concern is with the language that states: "Tenant criminal history inquiries must be made available for inspection upon request by the Police or the Housing Inspector." We believe this provision violates the Fair Credit Reporting Act, as well as most contracts between property owners and screening companies, which require that the information provided not be shared. A better way to go about making sure that criminal background checks have been conducted may be to require a receipt demonstrating that the screening company has completed the required background check.
- **Sec. 14.584: Disorderly Behavior and Nuisance Conditions Lease Provisions Required.** We have strong concerns about this provision, which requires property owners to include a disorderly behavior and nuisance conditions addendum. Most leases, including our MHA lease, already include a number of conditions identified in Sec. 14.585. The result is that property owners will be required to create a Blooming specific document delineating certain activities already regulated by the City. No other city of which I am aware requires property owners to create a lease addendum specific to that city. This provision will create a real burden on property

owners, especially those owners who have properties in more cities than Bloomington, because they will now have to keep track of a Bloomington specific document. Property owners can lose their licenses for not addressing disorderly behavior and nuisance conditions violations of city code, to us this should be sufficient, and we strongly encourage the City to delete this provision from the ordinance.

- **Sec. 14.586: Disorderly Behavior and Nuisance Conditions Violations Notices.** This section deals with disorderly and nuisance conditions violations rules, a “three strikes and you are out” provision. Our concern is that the time frame is too long, a second instance is defined as being within 24 months of the first instance, and the third instance is defined as being within 24 months of the second instance, so the landlord can lose the his/her license for tenant behavior over a 48 month period. Most cities use a time frame of 12 to 18 months between violations, and 18 months is the longest time frame of which I am aware.
- **Section 14.593: Self Inspection.** This provision requires property owners to have a self inspection procedure with written documentation of inspection completed as evidence.....”. Most, if not all of our members do this as part of their management plan, but it is another matter altogether for the City to require it. It is our belief that the City should focus on the result, not the process of getting there.
- **Section 14.03: Fees.** The proposed fee structure includes a major fee increase for multi unit properties, as the first unit fee would increase from its current level of \$80 to \$150, and the fee for each additional unit would increase from the current rate of \$9.75 to \$20.00. We appreciate the desire of the city to hold down costs, but holding down costs is also important to property owners. They are already absorbing a property tax increase, and when the fee increases are included, rents have not kept pace with the proposed increases. The fee increases could result in increased rents for tenants as well as having an impact on scheduled maintenance and improvements to the property.

We are grateful for your willingness to consider our concerns, and we look forward to continuing to work with you to craft an ordinance that meets the goals of the City without imposing an undue burden on responsible properties.

LISA PEILEN, DIRECTOR OF MUNICIPAL AFFAIRS
MN Multi Housing Association (MHA)
1600 W 82nd Street, Suite 110, Bloomington, MN 55431
Direct: (952) 548.2217 or Main: (952) 854.8500
Visit MHA online at www.mmha.com

Moore, Lynn

From: Arlene Eliason [Arlene.Eliason@southcentral.edu]
Sent: Thursday, July 25, 2013 9:35 PM
To: Moore, Lynn
Subject: RE: Rental Housing Code proposed changes

Thank you. That makes more sense with what is being rented in the area.

Arlene

From: Moore, Lynn [LMoore@ci.bloomington.mn.us]
Sent: Thursday, July 25, 2013 8:03 PM
To: Arlene Eliason
Subject: FW: Rental Housing Code proposed changes

Arlene-

I double checked the IPMC and it says 70 sq ft is the minimum bedroom size for a person, but for two or more, 50 sq ft is required for each person meaning the minimum size is 100 sq ft for 2, 150 sq ft for 3, etc. So I think my slide in the presentation was misleading and I may have misspoke. Sorry about that.

I hope that clarifies things.

Lynn

Sent with Good (www.good.com)

-----Original Message-----

From: Moore, Lynn
Sent: Thursday, July 25, 2013 10:17 AM Central Standard Time
To: 'Arlene Eliason'
Subject: RE: Rental Housing Code proposed changes

Thank you for your comments, Arlene.

They will be shared with council. As you are likely aware, the size requirements for bedrooms comes from the International Property Maintenance Code and is not a new requirement.

Thanks for your time and attention to the code development process,

Lynn Moore, MPH, RS
Environmental Health Manager
City of Bloomington
(952) 563-8970
lmoores@ci.bloomington.mn.us





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WWW.CI.BLOOMINGTON.MN.US

From: Arlene Eliason [<mailto:Arlene.Eliason@southcentral.edu>]
Sent: Thursday, July 25, 2013 10:00 AM
To: Moore, Lynn
Subject: Rental Housing Code proposed changes

To All Interested Parties:

The section of the code proposal that addresses minimum sizes for bedrooms is unrealistic. In the construction from the '50s, bedrooms that are 9 by 12 are common. The size regulations will not permit a married couple to use one of these bedrooms, or a pair of twins, or other combination of two family members. This can make one-bedroom apartments unrentable to a couple.

The size of the bedroom doesn't reflect the total size of the apartment. If there is only a kitchen with the small bedrooms, the living situation is significantly worse than if there is a living room and kitchen and dining area with the small kitchen. I don't think the bedroom size restriction accomplishes the goal.

If the aim is to use bedroom size as the determination, I would suggest 50 square feet for the first person and 30 square feet for each additional person. This would permit a couple to choose the 8 by 10 living area for a sleep space. A conditional statement of total size of the apartment could be included, such as 100 square feet per person.

In addition, the changes need a grandfathering clause that allows renters to complete their lease, or even renew the lease at their own discretion.

Thank you for hearing me out.

Arlene Eliason
Owner, 8843 18th Ave S
Bloomington, MN 55425

Moore, Lynn

From: Cecelia Adams [cecemariea@aol.com]
Sent: Tuesday, July 30, 2013 2:02 PM
To: Moore, Lynn
Cc: Peterson, Steve
Subject: Proposed changes to the City's Rental Housing Code

I received the postcard inviting me to a meeting about the proposed changes to Bloomington's city rental housing code. Since I was actually in Minnesota for two weeks in early to mid July, I didn't get the postcard until I returned to Florida last week.

I've reviewed the proposed changes on the website and have one comment to make regarding the rental agent requirement in Sec. 14.580. I own a condo in Bloomington that I'm currently renting out. Although I live in Florida now, I'm always available by cell phone and email. Anytime the renter has a problem or request, she contacts me by phone or email, and I respond just like I would if I were living in the seven-county area cited in the proposed changes. If instead, the renter called a rental agent, the response would be no quicker than if she called me directly. In fact, it might be slower. Having owned and lived in the condo for 25 years, I'm very familiar with the building and the rental unit, as well as the caretaker, board of directors, and property manager. Some of the renter's requests have been taken care of with just a quick email from me to one of those people. Others have required the services of a handyman, who works with the renter on when the best time would be to enter the apartment and share information about how long the job will take. I can't see how this would be any different if the renter called a rental agent instead of me, except that I would need to hire and pay a rental agent rather than fix the problem myself using the phone and email. I think that a rental agent would have very little or no face-to-face contact with the renter, and if that contact is necessary, I can always call my sister in Bloomington, who would be happy to check out the problem in person. I visit the condo building or condo unit once a year just to keep an eye its appearance and while I'm there also visit with the caretaker to discuss building issues that aren't reflected in the board meeting minutes that are sent to me monthly.

While some of us landlords might be physically absent, we are still very interested in our maintaining our units and want to provide a great living space for our renters.

Thank you for inviting comments on the proposed changes. I hope the City Council will remove the rental agent requirement from consideration.

Cecelia Adams, Owner, Unit 132, Cedar Cliff South Condominiums, Bloomington

9865 SW 97th Lane

Ocala FL 34481

352-840-3969

Moore, Lynn

From: Connie Barry [cbarry3@aol.com]
Sent: Monday, August 05, 2013 5:50 PM
To: Wilcox, Vern
Cc: Winstead, Gene; Moore, Lynn
Subject: Housing Code Changes

Vern,

As you know, I am renting my house in Bloomington at 8718-19th Avenue South. I have excellent renters who keep my house and property in first class shape. Recently I attended the meeting about the proposed changes to the Housing Code, particularly the license fees.

Under the proposed license fee increases, my license fee would go up 83% from \$82 to \$150. I understand that the last increase in 2008 was from \$80 to \$82 or 0.025%. Needless to say I think an 83% increase is extremely unfair and doesn't match today's CPI. Historically when were the fees increased over the last 20 years, and what were the increases in dollars and percentages?

Thanks,
Connie

Connie Barry Enterprises, Inc.
cbarry3@aol.com
M 612 799 2661

Name	email	Phone	rental property	tr	date	Comment
Gillian		952-829-4092			11-Jul	Cannot make the meeting wanted summary of the code proposed. Discussed it with her.
Larry Couture						Said website not working, but found it anyways. Apt unit is separate through a door. Has full kitchen, bath and separate outdoor entrance. Has had a rental license as a "room" for over 20 years.
Bonnie Ripple	jimmygirl214@gmail.com		8713 DuPont Ave		11-Jul	Should this be now an ADU, but legally nonconforming
Karen Mahoney	klea1939@gmail.com		8701 Penn Ave		11-Jul	Wants minutes of the 7/24 meeting
Reg & JoAnn Schroeder		952-944-1720			11-Jul	Would like less frequent inspections, better organizing of inspection schedule to not waste gas.
Matt Waters		952-935-8804	8508 Aldrich Ave		12-Jul	emailing comments - fee and posting license
Don Erickson	djemke@juno.com	612-735-0612	7501 W 101st #210		12-Jul	Mailed a copy of the ordinance
John Spring	john.Spring@nucor.com	612-597-4941	4575 W 80 & 7501 W 101st		12-Jul	request an address change
Robert Stoll					15-Jul	Asked how reinspection fees would be levied
Gregg Adleman		952-884-1312	10040 Penn Ave S; # 1		15-Jul	Comment - cannot afford higher license fees, mailed ordinance
Betty Heldt			1600 E 96th St		16-Jul	Called to ask what the meeting is about
Barbara Jensen	jensenann@comcast.net	952-835-5138			16-Jul	Not sure, mailed ord
Karl Miner		612-636-5533	8201 4th & 3810 Bailiir Pl		17-Jul	Called and wanted the code, was having trouble with website. Emailed pdf of code.
Meredith Salsbery	meredith.salsbery@gmail.com	507-351-7730	condo		19-Jul	called with questions and to update mailing address
						emailed comments: against increase in fees and prohibiting subleasing
Jeff	jefftpmp@yahoo.com		condo		20-Jul	Question the reason for the fee increase - high compared to mpls & SLP. Also question about self-inspection for a condo owner - confused how the building is tied in.
Carl Patow	carlpatoe@carlpatoe.com		condo			Fee increase is excessive - \$100 more reasonable. Rented condo unit - license posting in common area - assume all units are controlled by a single owner
Lisa Pellen	lisa.pellen@mmha.com		MHA		21-Jul	RSVP and several comments.
Diane Dahlen	Diane.Dahlen@bethfel.org		Bethany		22-Jul	Exchanged some emails with her about the code as she cannot make the meetings
Teresa Watje	twatje7650@gmail.com				23-Jul	Comments on license fee increase, thought it was going from \$82 to \$250, when it is \$150
Arlene Eliason	Arlene.Eliason@southcentral.edu				25-Jul	Questioning the minimum size of a bedroom - a misunderstanding,
Dick Dvorak	rebuiltplatters@yahoo.com		Grand Rental, LLC		25-Jul	no is fine with IPMC requirements
Cecelia Adams	cecemariea@aol.com	352-840-3969	Cedar cliff condo owner		27-Jul	email wanting highlights
Connie Barry	cbarry3@aol.com	612-799-2661	Connie Barry Enterprises		30-Jul	Comments regarding local agent, feels she is more responsive living in FL than a local would be
Patrick Silgen	psilgen@yahoo.com				5-Aug	Email to C. Wilcox & Mayor, against fee increase.
					11-Aug	Questions about ordinance; new address 4279 Wexford Way